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8 **UNITED STATES DISTRICT COURT**  
9 **EASTERN DISTRICT OF CALIFORNIA**  
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11 YUNIOR ARGUETA,  
12                                      Petitioner,  
13                      v.  
14 WARDEN, FCI MENDOTA,  
15                                      Respondent.  
16

No. 1:23-cv-0455 JLT EPG (HC)

ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS, GRANTING  
RESPONDENT’S MOTION TO DISMISS,  
DISMISSING PETITION FOR WRIT OF  
HABEAS CORPUS, AND DIRECTING  
CLERK OF COURT TO CLOSE CASE

(Docs. 8, 10)

17            Ricardo Reynso Rebollar is a federal prisoner proceeding *pro se* with a petition for writ  
18 of habeas corpus pursuant to 28 U.S.C. § 2241. Respondent seeks dismissal of the petition.  
19 (Doc. 8.) This matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C.  
20 § 636(b)(1)(B) and Local Rule 302.

21            On September 4, 2023, the magistrate judge found that “Petitioner has received the  
22 remedy he requested in his petition,” and as a result “no case or controversy exists.” (Doc. 10 at  
23 2.) Therefore, the magistrate judge recommended Respondent’s motion to dismiss be granted and  
24 the petition be dismissed as moot. (*Id.*) The Court served the Findings and Recommendations on  
25 Petitioner and notified him that any objections were to be filed within 30 days of the date of  
26 service.<sup>1</sup> (*Id.*) Petitioner has not filed objections, and the time for doing so expired.

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28 <sup>1</sup> Although the Findings and Recommendations were signed on September 4, 2023, the document was docketed and served on September 5, 2023.

1 According to 28 U.S.C. § 636(b)(1)(C), the Court performed a *de novo* review of this  
2 case. Having carefully reviewed the entire matter, the Court concludes the Findings and  
3 Recommendations are supported by the record and proper analysis. Thus, the Court **ORDERS**:

- 4 1. The Findings and Recommendations issued on September 5, 2023 (Doc. 10) are  
5 **ADOPTED** in full.
- 6 2. Respondent's motion to dismiss (Doc. 8) is **GRANTED**.
- 7 3. The petition for writ of habeas corpus is **DISMISSED**.
- 8 4. The Clerk of Court is directed to close this case.

9  
10 IT IS SO ORDERED.

11 Dated: **November 7, 2023**

  
UNITED STATES DISTRICT JUDGE